

CITY OF FAYETTEVILLE, ARKANSAS

# ADMINISTRATIVE ITEMS & PLANNING COMMISSION VARIANCE ITEMS

Please fill out the online submittal portal fields in Energov completely, supplying all necessary information and documentation to support your request. [https://egov.fayetteville-ar.gov/EnerGov\\_Prod/SelfService#/home](https://egov.fayetteville-ar.gov/EnerGov_Prod/SelfService#/home)  
*Your application will not be placed on a review cycle or the Planning Commission agenda until this information is furnished.*

**Prior to submittal please clear all Viewports that were exported from the original CADD file as a part of the PDF. These may prevent staff consideration and delay review or approval of your project.**

**Checklist:**

*Attach the following items in PDF format unless otherwise specified with your online submittal:*

- 1. Payment in full of applicable fees for processing the application: Due upon invoicing.
  - \$25.00 application fee
  - \$5.00 public notice sign fee (if required).
  
- 2. Legal description of property (may be found on deed or current survey of property). A survey may be required if the deed cannot be platted accurately.
  
- 3. A letter addressed to the chair of the Planning Commission addressing the following items:
  - Complete written description of this request (what is proposed by the applicant) including any information pertinent to the variance to be considered by the Planning Commission, and referencing the specific section of the Unified Development Code proposed to be varied.
  - The letter should demonstrate required criteria as required by the Unified Development Code, Chapter 156 Variances. The general requirement for a development variance is that there would be an undue hardship placed on the property owner if the variance is not granted. Some variances have unique criteria to be addressed and considered by the Planning Commission in order to grant a variance. Please consult Planning staff for any necessary information for specific requests.
  
- 4. Certain variances may require notification of surrounding property owners and residents with a separate address, as determined by Planning staff. Please consult with a planner on whether notification is needed.
  
- 5. Site plan drawn to scale (in PDF format), based on the deed or survey. At minimum, site plans shall include lot boundaries with dimensions, centerline of street(s), Master Street Plan right-of-way(s), utility easements, existing curb-cuts, minimum setbacks, proposed setbacks. **Prior to submittal please clear any Viewports that were exported from the original CADD file as a part of the PDF. These may prevent staff consideration and delay review or approval of your project.** Any other drawings (elevations, site cross-sections), material board, or other documents or drawings necessary to fully describe and depict the requested variance shall be supplied at the request of the Planning Division.
  
- 6. Public notification may be required for certain items. Please consult with a City planner to determine if it will be required.

*Note: No non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.*

## **NOTIFICATION REQUIREMENTS**

**This is required later after initial submittal online. A member of Development Services staff will contact you directly before this is required.**

### **Written Notification Process:**

1. The applicant shall mail a written notice of the action by first-class mail to the address of all landowners and residents with separate addresses within 200 feet of the boundary line of the property on which the use is proposed
2. The applicant shall provide the following to the Planning Division (**contact staff planner or Development Services coordinator for submittal deadline**):
  - a. alphabetical list of the landowners and residents with separate addresses receiving notification (City's Address Point File)
  - b. map showing the landowners' relationship to the site (City's Address Point File)
  - c. copy of the notice sent to the landowners and residents (**example attached**)
  - d. certificate of mailing (**example attached**)
  - e. [Click here to learn how to create the list of those being notified.](#)

### **Sign Posting Process:**

- (1) Signs shall be made available to the applicant by the Planning Division. A \$5 fee per sign shall be remitted by the applicant (**contact staff planner or Dev. Svcs. coordinator for date to pick up sign**).
  - a. The applicant shall post notice on the land for which the use is requested in a visible, prominent location no more than ten (10) feet from the street, and shall not impede the vision of drivers or pedestrians.
  - b. The staff planner may require an alternate location where the property is not adjacent to a street.
  - c. Additional signs may be required by the staff planner.
- (2) The applicant shall post the sign and submit a certificate of sign posting to the Planning Division. The sign(s) shall be photographed by the applicant and attached to the certificate (**example attached**).
- (3) The Planning Division will be responsible for retrieval of signs after the hearing; if a hearing is postponed, the applicant will be notified when a new sign has been created. The applicant shall then be responsible for posting the new date of the hearing in accordance with the criteria herein.

**THIS IS AN EXAMPLE ONLY – DO NOT USE THIS SHEET**

**CERTIFICATE OF MAILING**

*I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. mail, first-class, postage prepaid this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and addressed as follows:*

Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

\_\_\_\_\_  
*(name of person completing the mailing)*

\_\_\_\_\_  
*(signature of person completing the mailing)*

City File No./Name: \_\_\_\_\_

# **THIS IS AN EXAMPLE ONLY – DO NOT USE THIS SHEET**

## **WRITTEN NOTIFICATION FORM**

### **Project Description:**

The applicant Name proposes a Type of Development at Project Address.

**Building/land Use:** \_\_\_\_\_

**Zoning:** \_\_\_\_\_

**Size of Property:** \_\_\_\_\_

**Density/Intensity:** \_\_\_\_\_

### **Public Hearings:**

As of issuance of this letter you can attend City meetings in person or online by going to the following City webpage and selecting the meeting(s) listed below. Although the meeting(s) and date(s) below are accurate, participation instructions are forthcoming or can be found the week of a meeting at:

<https://www.fayetteville-ar.gov/1503/Meeting-Agendas-and-Video>

Planning Commission; 5:30 PM; Month/Date/Year; 113 West Mountain Street (City Administration Building Room 219) Fayetteville, AR 72701

### **Property Owner:**

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

### **Developer:**

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

### **Review Location:**

The project information is available for public review at the City of Fayetteville Planning Division, 125 West Mountain Street, Fayetteville, AR 72701 Monday-Friday 8AM-5PM; 479.575.8267.

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**CERTIFICATE OF SIGN POSTING**



I, \_\_\_\_\_ *(print the name of the  
applicant/representative/person posting sign), attest that the above sign was posted on*  
\_\_\_\_\_ *(month/day/year) adjacent to*  
\_\_\_\_\_ *(name of street).*

\_\_\_\_\_  
*(signature of person completing the sign posting)*

City File No./Name: \_\_\_\_\_